IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE FIRST DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 3888 of 2005

Between:

1 Talisetti Suryanarayana S/o Tatamma
r/o Sarampetapadu Village, Addateegala Mandal, East Godavari

District
2 Kasireddi Ramachandra rao S/o Venkata Rao
r/o Sarampetapadu Village, Addateegala Mandal, East Godavari

District

....PETITIONERS

AND

1 The District Collector, East Godavari District, Kakinada
2 The Mandal Revenue Officer, Addateegala Mandal,

Addateegala,East Godavari District

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ, order or direction more particularly one in the nature of writ of Mandamus declaring the action of the respondents in restoring to evict the petitioners from the land in Survey No. 31 to an extent of Ac. 1.60 cents of Sarampetapadu Village, Addateegala Mandal, East Godavari District as highly illegal, arbitrary, unjust, violative of Article 300-A and Article 31-A(1) and Article 21 of the Constitution of India and in violation of the principles of natural justice and consequently direct the respondents not to dispossess the petitioners from the above land.

Counsel for the Petitioner:MR.BADANA.BHASKARA RAO

Counsel for the Respondent No.: GP FOR REVENUE

The Court at the admission stage made the following :

ORDER:

This writ petition is filed seeking a declaration that the alleged action of the respondents in resorting to evict the petitioners from the land in Sy.No.31 to an extent of Ac.1.60 cents, situated at Sarampetapadu village, Addateegala Mandal, East Godavari District as arbitrary and illegal.

2. The petitioners claim to be the owners and possessors of the said land and it is alleged that the respondents have been interfering with their possession without following due process of law.

3. Having regard to the assertions made by the petitioners and having heard learned counsel for the petitioners as well as learned Government Pleader for Revenue appearing for the respondents, without expressing any opinion as to the ownership claimed by the petitioners, the writ petition is disposed of with a direction to the respondents not to interfere with the possession of the petitioners in respect of the land in question without following due process of law. No costs.

01-03-2005

To

1 The District Collector, East Godavari District, Kakinada
2 The Mandal Revenue Officer, Addateegala Mandal,

Addateegala,East Godavari District

3. Two CCs to the Government Pleader for Revenue, High Court Building, Hyderabad. (OUT).

4. Two C.D. copies.

Note:

CC by two days.

(Bo)

sj